

Summary

The subject of thesis is “**The position of the creditors in the insolvency proceedings**”. The purpose of my thesis is not only to bring the position of creditors as individuals or as part of the creditor body, but also notice the significant changes which the bankruptcy law was amended. These changes especially strengthened the status of creditors in exercise of claim in insolvency proceedings and in the control of procedure.

The thesis is composed of five chapters, each of them are divided to parts, which attend to particular theme. The first chapter is the introduction of its own rules of insolvency law.

The second chapter examines the participation of creditors in insolvency proceedings, especially in view of the statutory condition - multiplicity of creditors in the part 2.1. Following the part 2.2 approximates the beginning of the insolvency proceedings then the notice of insolvency proposal. In this chapter also made an excursion to the provisions about the moratorium, which ensures the protection of the debtor. Part 2.3 is concerned with exercise of claims and on the grounds of that with their dividing. Part 2.4 deals with the problem deliberation and negation of claims. The last part 2.5 is address to incidental disputes and incidental action.

The third chapter is divided into two parts that highlighted primarily the competence of two basic creditor bodies - creditors meeting and the creditors' committee. The last part this chapter 3.2.3 concentrates to issue about dominant creditor in the creditor body, which was solved in Czech Republic by judicature of Constitutional Court.

Next to last - the fourth chapter is divided according to the ways of solutions of bankruptcy by the Insolvency Act. More details, at the expense of bankruptcy, are devoted to reorganization and discharge from debts.

The last chapter consists of an excursion to the Slovak Insolvency Law related to the basic comparison of institutes with the Czech insolvency law.

Although the new bankruptcy law in the Czech Republic and the Slovak Republic in fact apply not for too long and appear also the deficiency in the law, we can say that the insolvency law is only benefit for creditors and effective means for satisfaction their rights.

Klíčová slova / Key words

Postavení věřitele v insolvenčním řízení / The position of the creditors in the insolvency proceedings

Věřitel / Creditor

Insolvenční řízení / Insolvency Proceedings

Věřitelský orgán / Creditors Body